

UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA

LARRY JOE COLLINS

Plaintiff

v.

Case No. 3:12-cv-2244

FILED
SCRANTON

B.A. BARDSLEY, et al.,

MAR 13 2015

(Kosik J.)

Defendants

PER Amr
DEPUTY CLERK

SUPPLEMENTAL DECLARATION OF LARRY JOE COLLINS IN SUPPORT OF
APPLICATION FOR A PRELIMINARY INJUNCTION

I, Larry Joe Collins, make this unsworn declaration under the penalty of perjury pursuant to 28 USC Section 1746, pertinent to the above styled cause as follows:

1. On March 2, 2015, the Special Housing Unit (SHU) Lieutenant (Lt.), Sherman, ordered that I be moved out of the strip-cell on A-lower, 116, and be placed back into my original cell on B-lower, 124, and upon entering the cell I found that the small amount of legal-materials and legal-books I had been allowed to obtain, had once again been confiscated. Lt. Sherman informed me that the Assistant United States Attorney's Office, because of the conflict which occurred between inmate Evans and myself, had declared my cell a "crime scene," and thereby he (Lt. Sherman) had been ordered to take all of my legal-materials, legal-books and writing materials (ink-pens, paper, envelopes and stamps) into custody as evidence.

2. On February 28, 2015, Officer Lemont, the individual who reported the incident between inmate Evans and myself, informed me while I was being held in the Holding-cell, that normally if a homicide don't occur between two prisoners who get into a conflict, they usually just clean up the blood (if there is any blood), and then place one or the other inmates back in the cell. But this have not been the procedure in my case.

3. Also on March 2, 2015 I was placed back in hollering distance of inmate DeAndre Townsend # 18783-076 whom I had given a legal-letter to mail out for me, which he received on February 28, 2015 and was charged with mailing on March 1, 2015, and upon my asking him if he successfully posted the legal-letter to, Attorney Angus Love, with the Lewisburg Prison Project? he informed me that he had, and would sign a declaration attesting to that fact. His declaration is attached to this declaration. (See Attachment).

4. I want to reiterate that I first went on a hunger-strike on February 28, in an effort to get an insane prisoner, Evans, out of my cell, but once we were separated, and Lt. Sherman informed me, just minutes before he had me placed in the strip-cell that all my legal-materials and books would be taken, at that time I opted to remain on a hunger-strike, and will continue to be on a hunger-strike as this appears to be the only option left to me. I need my legal-materials and books not only to keep with my obligations to meet the due dates (dead-lines) in the case at bar, but also I need my legal-materials to meet my obligations (dead-lines) with the United States District Court Southern District of Indiana (Larry Joe Collins v. Warden Of FCI Terre Haute, Cause No. 2:15-cv-0015-WTA-WGH); and the Supreme Court of the United States, where I am required to submit a petition for a writ of Certiorari — and already 30 days of the 90 days required to submit that document have expired.

I declare under penalty of perjury that the foregoing is true and correct to the best of my knowledge and belief, Executed on this 2nd day of March, 2015.

Sign: Larry Joe Collins

Larry Joe Collins # 00094-128

United States Penitentiary Terre Haute

P.O. Box 33

Terre Haute, IN 47808-0033

Declaration of
DeAndre Townsend

I, DeAndre Townsend #18783-076 make this unsworn declaration under the penalty of perjury pursuant to 28 USC Section 1746 as follows

1. On February 28, 2015 around 7:00 p.m. inmate Larry Joe Collins gave me a letter addressed to, Angus Love, attorney with the Lewisburg Prison Project. He instructed me to read it so that I would know its content before I mailed it out, and after doing so I found inside was a declaration of Larry Joe Collins and an attached Incident Report which belonged to Collins' cellmate, Evans.

2. Collins gave me the letter to mail out because he felt he would be separated from his property and said letter before the night was over and would not get the chance to mail it out the following day, Sunday, on which mail is allowed to be sent out, due to immediate and serious problems he was having with his cellmate, and the unit officer's refused to separate the two by making a cell change. From my view across the hall I could see and hear Collins beg the range officers to move him. I also observed Collins ask the lieutenant who serviced inmate Evans his incident report to remove him from the cell. At that point I also observed inmate Evans come to the food slot and tried to grab at the nurse P.A. Bennetfield who was also standing there with the lieutenant at the time. This can be viewed by the cameras on B-tower in cell 124 between the time of 5:45 p.m. and 6:30 p.m.

3. I placed the letter given to me, in the mail on March 1, 2015 (Sunday) around 9:00 p.m.

On March 1, 2015 I learned inmate Collins had been placed over on A-lower where he remained until March 2, 2015. And during his stay on A-lower, he and I were completely out of contact.

I declare under penalty of perjury that the foregoing is true and correct to the best of my knowledge and belief
Executed this 2nd day of March, 2015

Deandre Townsend

DeAndre Townsend #18783-076
United States Penitentiary Terre Haute
P.O. Box 33
Terre Haute, IN 47808



Organized In 1973

LEWISBURG PRISON PROJECT

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March 10, 2015

Clerk of the Court
William J. Nealon Federal Building
and U.S. Courthouse
PO Box 1148
235 N. Washington Avenue
Scranton, PA 18501-1148

Re: Larry Joe Collins v. Bledsoe, et al. 3:12-cv-2244

Dear Clerk of the Court:

Enclosed are the following documents that USP Terre Haute inmate Larry Joe Collins (#00094-128) asked that we send to you for filing:

- Supplemental Declaration In Support of Plaintiff's Application for Preliminary Injunction; with Exhibit of Declaration of DeAndre Townsend.

Additionally, a copy of all documents enclosed herein are being sent today, postage pre-paid, to Timothy Judge, U.S. Attorney's Office - Prisoner Litigation Unit, 235 North Washington Avenue, William J. Nealon Federal Building, Scranton, PA 18507.

Thank you for your attention in this matter.

Sincerely,

David Sprout, Paralegal
Lewisburg Prison Project

Encls.

Cc: Timothy Judge, AUSA
Larry Joe Collins
(w/copy)



First Class Mail

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LEWISBURG PRISON PROJECT
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